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S/23692
11 March 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 4 MARCH 1992 FROM THE PERMANENT REPRESENTATIVE OF FIJI TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Fiji to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the latter's note dated 13 February 1992 regarding the provisions of Security Council resolution 740 (1992) calling upon all States to take all appropriate steps to ensure that the Yugoslav parties implement their unqualified acceptance of the United Nations peace-keeping plan, fulfil their commitment in good faith and cooperate fully with the Secretary-General and calling all States to cooperate fully with the Security Council Committee established by resolution 724 (1991), including reporting any information brought to their attention concerning violations of the embargo, has the honour to inform the Secretary-General that Fiji undertakes to comply fully with these decisions.

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THE SITUATION IN SOMALIA

Report of the Secretary-General

Introduction

1. At its 3039th meeting, on 23 January 1992, the Security Council unanimously adopted resolution 733 (1992) concerning the situation in Somalia. The full text of the resolution reads as follows:

The Security Council,

Considering the request by Somalia for the Security Council to consider the situation in Somalia (S/23445),

Having heard the report of the Secretary-General on the situation in Somalia, and commending the initiative taken by him in the humanitarian field,

Gravely alarmed at the rapid deterioration of the situation in Somalia and the heavy loss of human life and widespread material damage resulting from the conflict in the country and aware of its consequences on the stability and peace in the region,

Concerned that the continuation of this situation constitutes, as stated in the report of the Secretary-General, a threat to international peace and security,

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Chapter VIII of the Charter of the United Nations,

Expressing its appreciation to the international and regional organizations that have provided assistance to the populations affected by the conflict, and deploring that personnel of these organizations have lost their lives in the exercise of their humanitarian tasks,

Taking note of the appeals addressed to the parties by the Chairman of the Organization of the Islamic Conference on 16 December 1991, the Secretary-General of the Organization of African Unity on 18 December 1991 (S/23469) and the League of Arab States on 5 January 1992 (S/23448),

1. Takes note of the report of the Secretary-General on the situation in Somalia, and expresses its concern with the situation prevailing in that country;

2. Requests the Secretary-General immediately to undertake the necessary actions to increase humanitarian assistance of the United Nations and its specialized agencies to the affected population in all parts of Somalia in liaison with the other international humanitarian organizations, and to this end to appoint a coordinator to oversee the effective delivery of this assistance;

3. Requests the Secretary-General of the United Nations, in cooperation with the Secretary-General of the Organization of African Unity and the Secretary-General of the League of Arab States, immediately to contact all parties involved in the conflict, to seek their commitment to the cessation of hostilities to permit the humanitarian assistance to be distributed, to promote a cease-fire and compliance therewith, and to assist in the process of a political settlement of the conflict in Somalia;

4. Strongly urges all parties to the conflict immediately to cease hostilities and agree to a cease-fire and to promote the process of reconciliation and of political settlement in Somalia;

5. Decides, under Chapter VII of the Charter of the United Nations, that all States shall, for the purposes of establishing peace and stability in Somalia immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Somalia until the Security Council decides otherwise;

6. Calls on all States to refrain from any action which might contribute to increasing tension and to impeding or delaying a peaceful and negotiated outcome to the conflict in Somalia, which would permit all Somalis to decide upon and to construct their future in peace;

7. Calls upon all parties to cooperate with the Secretary-General to this end and to facilitate the delivery by the United Nations, its specialized agencies and other humanitarian organizations of humanitarian assistance to all those in need of it, under the supervision of the coordinator;

8. Urges all parties to take all the necessary measures to ensure the safety of personnel sent to provide humanitarian assistance, to assist them in their tasks and to ensure full respect for the rules and

principles of international law regarding the protection of civilian populations;

9. Calls upon all States and international organizations to contribute to the efforts of humanitarian assistance to the population in Somalia;

10. Requests the Secretary-General to report to the Security Council as soon as possible on this matter;

11. Decides to remain seized of the matter until a peaceful solution is achieved.

2. The present report is submitted pursuant to paragraph 10 of the resolution. It deals particularly with the implementation of paragraph 3 of the resolution, by which the Security Council requested me, in cooperation with the Secretaries-General of the Organization of African Unity (OAU) and the League of Arab States (LAS), immediately to contact all parties involved in the conflict, to seek their commitment to the cessation of hostilities to permit the humanitarian assistance to be distributed, to promote a cease-fire and compliance therewith, and to assist in the process of a political settlement of the conflict in Somalia.

3. On 23 January 1992, I transmitted the text of resolution 733 (1992) to Interim President Ali Mahdi Mohamed and General Mohamed Farah Aidid, Chairman of the United Somali Congress (USC), as well as to other interested parties in Somalia.

4. In a communication dated 26 January 1992 addressed to me, Interim President Ali Mahdi Mohamed confirmed his acceptance of resolution 733 (1992). On 31 January 1992, General Mohamed Farah Aidid sent his reply to the resolution, in which he raised some questions regarding the resolution and called upon the Council to reconsider the matter. He did not, however, indicate specifically whether or not he accepted the resolution.

5. The text of the resolution was also transmitted to all States on 23 January 1992, drawing their attention to paragraphs 5, 6 and 9 and requesting them to submit to me as soon as possible, but not later than 6 February 1992, information on the measures taken by their Governments to implement a general and complete embargo on all deliveries of weapons and military equipment to Somalia and to contribute to the efforts for the provision of humanitarian assistance to the population of Somalia. I also transmitted the text of the resolution to the current Chairman of OAU, H.E. President Ibrahim Babangida of Nigeria.

6. Similarly, the text of the resolution was transmitted, on the same date, to international organizations, drawing their attention, in particular, to paragraphs 2 and 9 of the resolution, and requesting information as soon as possible, but not later than 6 February 1992, on any action taken in accordance with those provisions of the resolution.

Arms embargo

7. As stated above, I had addressed a note verbale to all States requesting them to bring to my attention information on measures taken to implement a general and complete embargo on all deliveries of weapons and military equipment to Somalia.

8. As of 6 March 1992, replies had been received from 68 Governments, which have been issued as documents of the Security Council. 1/

9. Despite the replies received from Member States stating that they were strictly observing the terms of paragraph 5 of the resolution, both Somali factions have claimed that the other side was receiving arms from some of the countries in the region.

Efforts to reach a cease-fire

General

10. In paragraph 4 of resolution 733 (1992), the Security Council strongly urged the parties to the conflict to cease hostilities immediately and agree to a cease-fire.

11. Since November 1991, heavy fighting between the two factions has persisted in the capital city, Mogadiscio, with civilian-inhabited areas subjected to persistent direct fire, including from artillery and mortar units. There are also several heavily armed elements who control parts of the city, including the seaport and the airport. Some have declared alliance with one or the other of the two protagonists in Mogadiscio, while others are not controlled by either of them. In recent weeks, there has been an increase in the level of independent military operations by some of these armed elements. Clearly, the existence of these armed elements could be a major complication in the implementation and monitoring of a cease-fire.

12. The fighting has resulted in widespread death and destruction, forced hundreds of thousands of civilians to flee the city, caused dire need for emergency humanitarian assistance, and brought about a grave threat of widespread famine. It has also seriously impeded United Nations efforts to deliver much-needed humanitarian assistance to the affected population in and around Mogadiscio. Furthermore, the conflict has threatened instability in the Horn of Africa region and its continuation has occasioned threats to international peace and security in the area. The countries of the region - Djibouti, Ethiopia, Kenya and the Sudan - some more than the others, are beset by problems that are largely common to all. As a result, the exacerbation of conflict in one of the countries of the region could have serious repercussions in one or more of the others.

Consultations in New York

13. Pursuant to paragraph 3 of resolution 733 (1992), I sent letters on 31 January 1992 to Interim President Mohamed and the Chairman of USC, General Aidid, acknowledging receipt of their replies to my letter of 23 January by which, as mentioned above, I had brought to their attention the text of resolution 733 (1992). I invited them to participate in consultations in New York during the week of 10 February 1992.

14. I informed the factions that the purpose of the meeting would be to explore the best ways of reaching a cease-fire agreement and to draw up a framework for a sustained peacemaking effort in Somalia. Within such an agreed framework, the meeting would also consider the modalities for broader political stability, in which all other parties in Somalia would be involved.

15. On 31 January 1992, I sent letters to the Secretaries-General of LAS, OAU and the Organization of the Islamic Conference (OIC) inviting them to send representatives to the meeting. In my letter, I informed the Secretaries-General of the action I had taken pursuant to Security Council resolution 733 (1992) and of the replies I had received from the two factions regarding the resolution.

16. In communications dated 2, 3 and 5 February 1992 respectively, LAS, OAU and OIC informed me of their acceptance of my invitation and their readiness to cooperate with me in my efforts to facilitate a political settlement of the conflict in Somalia. They also informed me of the steps they had taken to help to bring about a settlement of the conflict. Further, they communicated to me the names of the leaders of their delegations to the meeting as follows: for LAS, Mr. Mahdi Mustafa al-Hadi, Under-Secretary-General; for OAU, Mr. M. T. Mapuranga, Assistant Secretary-General for Political Affairs; and for OIC, Mr. Ibrahim Saleh Bakr, Assistant Secretary-General.

17. Interim President Mohamed informed me in a communication dated 9 February 1992 that his delegation to the meeting would be headed by Mr. Mohamed Qanyare Afrah and would consist also of Mr. Aweys Haji Yusuf and Mr. Huseen Ali Shiddo. He also informed me that the head of his delegation would carry a letter of credentials that conferred upon the delegation power to negotiate and sign an agreement on behalf of the interim Government.

18. For his part, General Aidid informed me in a letter dated 9 February 1992 that the members of his delegation to the consultations in New York would be as follows: Mr. Osman Hassan Ali, head of the delegation; Mr. Sheik Abdi-nur Nur Hashi and Mr. Mohamed Hassan Awale. He stated that the members of his delegation were fully authorized to discuss the issues on the agenda as specified in my letter of invitation dated 31 January 1992.

19. The consultations in New York were based on a two-phased strategy. First, to seek the commitment of the belligerent parties in Mogadiscio to the cessation of hostilities to permit the distribution of humanitarian assistance and to promote a cease-fire and compliance therewith. Secondly, to

assist in the process of a political settlement of the conflict in Somalia through the convening of a conference on national reconciliation and unity.

20. The talks started at United Nations Headquarters in New York on 12 February 1992. I chaired a meeting of senior officials representing the three regional and intergovernmental organizations to work out a common approach on how to tackle the Somali problem. In this connection, I stressed that, without the cooperation of the regional organizations, the United Nations could not play a meaningful role in Somalia. It is important for the regional and intergovernmental organizations to take the lead and to play an active role in efforts to seek a solution to the problem. Their support, cooperation and contribution are essential to bring the question before the Security Council for the proper action and to assist in the national reconciliation and reconstruction of Somalia. The consultations had in view only the belligerent factions in Mogadiscio and constituted an essential first step towards achieving durable peace in Somalia. They did not in any way imply recognition of any Somali faction.

21. On 13 February 1992, I met separately with representatives of the two factions to the conflict in Mogadiscio. I drew their attention to the common position taken by the United Nations and the three regional and intergovernmental organizations and urged them to commit themselves to an immediate cessation of hostilities and to facilitate a peaceful and lasting settlement of the conflict in Mogadiscio. I also emphasized that such an outcome would expedite the provision of increased humanitarian assistance to the people of Somalia.

22. My Envoy for Somalia, Under-Secretary-General James O. C. Jonah, headed a joint delegation of the United Nations and the three regional and intergovernmental organizations, which met separately with the two Somali factions on 13 and 14 February 1992, to discuss with them the urgency of an immediate cessation of hostilities and an agreement on a cease-fire in Mogadiscio. On 14 February 1992, the two Somali factions committed themselves to an immediate cessation of hostilities and to the maintenance of a cease-fire in Mogadiscio. They signed pledges to that effect in the presence of representatives of the United Nations and the above-mentioned regional and intergovernmental organizations and agreed to a visit to Mogadiscio, before the end of February, of a high-level delegation from those organizations to arrange a cease-fire agreement (see annex I). The factions welcomed the decision of the United Nations and the three regional and intergovernmental organizations to send the high-level delegation to Mogadiscio. In this connection, the representatives of Interim President Mohamed asserted that a cease-fire agreement without international monitoring and supervision would not hold.

23. Following the signing of the pledges on 14 February, Under-Secretary-General Jonah and the representatives of the three regional and intergovernmental organizations consulted on how best to arrange a cease-fire agreement and on the modalities for the next phase of their joint effort, namely that of convening an all-embracing national reconciliation

conference, aimed at the achievement of a lasting, peaceful solution to the Somali problem. They reached a common understanding on how to approach the questions of participation, agenda and the venue of the conference.

24. Both during the consultations and the signing of the cease-fire pledges, attempts were made to bring the two factions together. However, the faction representing General Aidid refused on the basis that it did not recognize Mr. Mohamed as Interim President.

25. Unfortunately, there were hostilities, both during the consultations in New York and subsequent to the signing of the pledges of 14 February. There was some artillery shelling, particularly of the road leading to the airstrip in the area under the control of Interim President Mohamed. I expressed my grave concern regarding these violations of the cease-fire to the representatives of General Aidid and emphasized that the cease-fire must be respected and that it was incumbent upon all concerned to show a seriousness of purpose and commitment.

26. It had been impressed upon the representatives of the two factions during the consultations in New York that the world community would not take the Somalia question seriously unless they made every effort to respect the cease-fire and the commitments they had entered into. The violations of the cease-fire brought to mind the remarks of the representatives of Interim President Mohamed that the cease-fire would not hold without international monitoring or supervision. They also made the mission of the joint delegation to Mogadiscio all the more important.

27. By mutual agreement, the representatives of the United Nations and the three regional and intergovernmental organizations attended the meeting of the OAU Council of Ministers held in Addis Ababa from 24 to 28 February 1992 to be available for the Council's consideration of the question of Somalia. While there, the joint delegation also held consultations on the Somali conflict with the Secretary-General of OAU and the heads of delegation of several States members of OAU. On the eve of the joint delegation's visit to Mogadiscio, on 29 February, LAS, OAU and OIC issued statements supporting its effort to resolve the conflict in Mogadiscio and calling upon the Somali factions to cooperate fully with the joint delegation (see annex II). The joint delegation travelled to Mogadiscio on the basis of the understandings reached in New York and the pledges made by the two factions to guarantee the security and complete freedom of movement of the joint delegation in and around Mogadiscio.

Consultations in Mogadiscio

28. The joint delegation arrived in Mogadiscio from Addis Ababa, on 29 February. It was composed of, from the United Nations, Mr. James O. C. Jonah, Under-Secretary-General and leader of the joint delegation, Mr. Tayé-Brook Zerihoun, Political Affairs Officer, Major Nauludole V. Mataitini, Assistant Military Adviser; from LAS, Mr. Mahdi Mustafa El-Hadi, Under-Secretary-General and

Mr. Samir Husni Attiya, Second Secretary; from OAU, Mr. M. T. Mapuranga, Assistant Secretary-General and Mr. Emile Ognimba, Political Officer; and from OIC, Mr. Ibrahim Saleh Bakr, Assistant Secretary-General and Mr. Salman Bashir, Director. The joint delegation proceeded to the headquarters of General Aidid, which was closest to the airport. In the afternoon, the joint delegation travelled by car to the northern part of the city where Interim President Mohamed has his headquarters.

29. The joint delegation emphasized to both factions that it had come to Mogadiscio to help them to conclude a cease-fire agreement, as agreed in New York on 14 February 1992. For that purpose, the joint delegation had brought with it a United Nations military adviser to help them to work out the details of a cease-fire agreement and to discuss with them the modalities for possible United Nations monitoring of such an agreement.

30. The military adviser held preliminary discussions with the relevant officials of Interim President Mohamed's faction before the joint delegation's departure for Nairobi the same evening. By mutual agreement, the military adviser stayed behind in Mogadiscio to undertake similar discussions with military leaders of General Aidid. Both factions were requested to consider the matter overnight and to give their reactions to the joint delegation when it returned to Mogadiscio the next morning.

31. Two other important questions were also discussed. The joint delegation stressed to both factions that it was not interested in the question of recognition of one faction or the other. Its primary interest was to help the factions to conclude a cease-fire agreement which would hold and, if needed, to discuss arrangements for United Nations involvement to that end. Beyond that, the joint delegation was interested to hear the views of all Somali factions regarding the convening of a conference of national reconciliation and unity, including the questions of participation, agenda and venue.

32. The joint delegation returned to Mogadiscio on 1 March and continued its discussions with the Somali factions on arrangements to conclude a cease-fire agreement and the modalities for United Nations monitoring of such an agreement. It presented to them two draft documents containing ideas on those issues for their consideration and adoption.

33. It was impressed upon both factions that the possible United Nations monitoring role reflected in the proposals envisaged the stationing of a relatively small, unarmed observer group to supervise, verify and confirm the cease-fire on a continuous basis, pending an agreement on a comprehensive settlement for national reconciliation and unity. The logistics, as well as organizational and operational arrangements of such a deployment were explained in the proposals and elaborated upon by the military adviser in his earlier meetings with the military experts of the two factions. It was always understood during the discussions that the exploratory ideas presented were subject to the authorization of the Council.

34. The joint delegation suggested to General Aidid that he take some time to study the documents, while it proceeded to the north to deliver the same documents to Interim President Mohamed. It was understood that, in the afternoon, after the joint delegation had returned from the north, General Aidid might be in a position either to give a response on the documents or to seek further clarification on them.

35. When the proposals for a cease-fire agreement were delivered to Interim President Mohamed, he handed them over to his military experts for examination. After he had been briefed by his military experts on the outcome of their review, he met with the joint delegation to give his formal response, which was positive. In doing so, he reiterated his request for a United Nations peace-keeping force, not only to ensure a lasting cease-fire, but also to help to disarm civilians and to protect the stockpiling and distribution of humanitarian assistance. However, in the circumstances, particularly in order to obtain General Aidid's compliance, he agreed to the deployment of a United Nations monitoring group as suggested by the joint delegation and pledged to cooperate with it fully.

36. During the morning's initial meeting with General Aidid, he reiterated his acceptance of a cease-fire without reservation and stated that he remained ready to sign an agreement to that effect. For the first time, he requested "... the United Nations and the [three] regional organizations to send representatives to monitor the cease-fire accords", despite his earlier statement that Security Council resolution 733 (1992) was not justified and must be reconsidered by the Council. In the same vein, he also accepted the resolution adopted on 28 February by the OAU Council of Ministers which, inter alia, expressed support for resolution 733 (1992).

37. However, during its meeting with General Aidid later the same day, in the afternoon, the joint delegation was informed that his faction was not yet in a position to give a formal reply to the proposals for the deployment of United Nations observers because it had not had adequate time to study them. He said that his faction would be ready to give its reply to the joint delegation at 12 noon on 3 March. The joint delegation received reliable information that General Aidid's Executive Committee had had extensive and continuous deliberations since the joint delegation had departed to the north that same morning to meet with Interim President Mohamed.

38. While accepting General Aidid's proposal to return to Mogadiscio on 3 March, the joint delegation impressed upon him and his colleagues that the situation in Mogadiscio, and indeed the entire country, demanded the immediate and undivided attention of all concerned. It also required statesmanship, foresight and courage from its leaders to grasp a historic opportunity that had presented itself at that particular time to end the plight of the Somali people, bearing in mind the heightened concern and commitment shown by the international community, as reflected in the composition of the joint delegation.

39. On 3 March 1992, after four days of intensive negotiations, Interim President Mohamed and General Aidid each signed a copy of an "Agreement on the Implementation of a Cease-fire", in the presence of the representatives of the United Nations, LAS, OAU and OIC, the operative part of which reads:

> "Hereby agree to take immediate steps, personally as well as through the persons under my command, for the implementation of measures aimed at stabilizing the ceasefire by means of a United Nations monitoring mechanism. The measures will be formulated by a United Nations technical team that will arrive in Mogadiscio shortly."

For the full text of the Agreement signed by each party, see annex III.

40. During the discussions, both sides expressed agreement with the main elements for the implementation of the cease-fire, which involves the following arrangements:

(a) The parties undertake to order their forces to disengage and refrain from all hostilities and further deployment or action to extend territory under their control;

(b) Commanders on both sides will ensure that troops under their command remain at their respective positions;

(c) Both parties will facilitate the unimposed flow of humanitarian aid and delivery of assistance to all in need, including those internationally displaced;

(d) Both parties will encourage and support the withdrawal of forces from airports and seaports to locations to be agreed upon by the United Nations and the turning over of monitoring and security arrangements at the ports to United Nations observers.

41. While Interim President Mohamed's faction accepted all the elements of the cease-fire arrangement, General Aidid's side insisted that the military observers should be in civilian attire with the proper United Nations insignia, i.e. blue berets and United Nations armbands.

42. The signing of the above Agreement opened the way for the next step, the dispatch of a technical team from the United Nations to Mogadiscio to work out with military officials of both factions a possible United Nations monitoring mechanism aimed at stabilizing the cease-fire. The concept of such a mechanism, which both factions agreed to in principle, envisages the designation of a civilian as Special Representative of the Secretary-General who would be assisted by senior officials from the three regional and intergovernmental organizations, and who, together, would constitute a Joint Monitoring Commission (JMC). JMC would be assisted by military observers from the United Nations, with about 20 observers to be deployed on each side of the cease-fire line. In addition, a contingent of United Nations civilian police would be made available to JMC to facilitate the delivery of humanitarian assistance in and around Mogadiscio.

National reconciliation and unity

43. It had been agreed by the joint delegation that at the conclusion of the first phase of its mission to Somalia, i.e., arranging a cease-fire agreement in Mogadiscio, it would assist in the process of national reconciliation and unity in Somalia. In this connection, it undertook consultations with the two warring factions in Mogadiscio and secured their agreement and support for a national reconciliation conference to which all Somali groups would be invited with a view to restoring peace and justice to the country. General Aidid insisted that the conference meet in Mogadiscio. Interim President Mohamed noted that the security situation would make Mogadiscio unsuitable, but said that he was willing and ready to go anywhere to discuss peace and national reconciliation in Somalia. While Interim President Mohamed insisted that the Djibouti Accords 2/ be used as a basis for convening the conference, General Aidid stressed his rejection of the Accords. The Accords were the outcome of a regional approach sponsored by Djibouti, which succeeded in convening two conferences on Somali national reconciliation in June and July 1991 with the participation of all the major Somali movements except the Somali National Movement (SNM). At the July conference, the participants reiterated their commitment to a united Somalia and agreed on a cease-fire and the establishment of a transitional Government. The conference also appointed Mr. Mohamed as President of the provisional Government of Somalia for a period of two years.

44. The joint delegation travelled to Kismayo on 4 March to solicit the views of Somali groups in the lower Juba region on various aspects of the convening of a conference on national reconciliation and unity. It met with representatives of several Darod subclans organized under the umbrella of the Somali Patriotic Movement (SPM).

45. The subclans represented were the Marehan, Lalkasse, Aurtableh, Ogaden, Majesteen, Doblahante and Warsengeli. These subclans are organized in three political groups, namely, United Somali Party (USP), Somali Salvation Democratic Front (SSDF) and Somali National Democratic Union (SNDU), which, as stated above, are under the umbrella of SPM in the lower Juba region.

46. The joint delegation first met separately with representatives of the three political groups - USP, SSDF and SNDU - and then held a general meeting in which all took part in the context of SPM. The joint delegation impressed upon all the participants that, having concluded the first phase of its objective, it had come to Kismayo to seek their views on whether or not they supported the convening of a conference on national reconciliation and unity and, if so, to be guided by their counsel with respect to the agenda, participation and venue of the conference.

47. As regards their own participation, the political groups informed the joint delegation that the invitation should go to SPM alone. In deciding the composition of its delegation, SPM would ensure their own participation in the conference. Concerning the participation of other groups, they proposed that invitations be sent to the following political groups, on the understanding

that the authenticity of their delegations would be established before the conference: Somali National Front (SNF), SNDU, USC, Somali Democratic Alliance (SDA), SNM, United Somali Front (USF), Somali Alliance for National Unity (SANU), SSDF, SPM and USP.

48. On the question of the venue, the political groups expressed preference for Addis Ababa, Nairobi or Asmara because of their proximity to Somalia and taking into account economic considerations, in order to ensure full participation. Views were also exchanged with these political groups as well as with others as to the possibility of having Abuja, the capital of Nigeria, which currently holds the chairmanship of OAU, as the venue for the conference. While there were no objections, all stressed the cost that would be incurred if Abuja was selected.

49. The political groups suggested a full-fledged agenda for the conference. They noted that, to achieve its stated objective of national reconciliation and unity, the conference must include on its agenda the following items:

(a) The sovereignty and territorial integrity of Somalia;

(b) The end of hostilities among all warring groups and factions and the establishment of a cease-fire throughout the country;

(c) The formulation of a provisional constitution based on democratic and parliamentary principles;

(d) The formation of an interim national Government;

(e) The creation of an administrative system based on regional autonomy;

(f) The establishment of a provisional national assembly;

(g) The need for international peace-keeping and disarming of forces.

50. As regards the Djibouti Accords, opinions were divided, with the majority accepting the Accords as a basis, but not the basis, for convening the conference.

51. Since it was not possible to locate the leadership of some of the Somali movements, like SSDF and SNF, arrangements were made to meet with them in Nairobi and to consult them on the convening of the conference on national reconciliation and unity.

52. SSDF stated that it would like the conference to be organized by the United Nations in cooperation with the three regional and intergovernmental organizations. It supported the participation of all Somali groups and movements and expressed preference for Nairobi or Addis Ababa as the venue for the conference.

53. SNF expressed support for the United Nations and the regional and intergovernmental organizations to chair the conference and for all Somali groups and factions to be invited. It rejected the Djibouti Accords as a basis for convening the conference and expressed preference for the conference to be held in one of the countries neighbouring Somalia or in a convenient location in the Arab world such as Yemen or Saudi Arabia.

54. Consultations with other Somali groups and movements regarding the convening of the conference on national reconciliation and unity would continue.

Humanitarian assistance

55. In the communications that I sent out to Governments and humanitarian organizations following the adoption of resolution 733 (1992), I drew attention to paragraph 9 of the resolution by which the Security Council had called on all States and international organizations to contribute to the efforts of humanitarian assistance to the population in Somalia.

56. The replies that have been received on this matter have also been issued as documents of the Security Council.

57. Because of the intolerable security situation, it has not been possible to provide food supplies to Mogadiscio since December 1991. However, the International Committee of the Red Cross (ICRC) was able to provide food aid through the ports of Adale and Merka, which are situated to the north and the south of Mogadiscio, respectively. The United Nations also continued to provide humanitarian assistance to parts of the north, around Berbera and Harguesa. Furthermore, some 4,100 tons of food were transferred by the World Food Programme (WFP) to ICRC in Mombasa and delivered to Kismayo in two shipments during February and March 1992. The joint delegation witnessed delivery of the second shipment when it visited Kismayo on 4 March 1992 (see annex V A).

58. It was possible to supply assistance to Kismayo because the local authorities, the United Nations and other humanitarian organizations had agreed on a workable plan and because the security situation had improved appreciably. Unlike the situation that prevailed in Kismayo in January, when my Envoy for Somalia visited there, no one was seen carrying arms there during the recent joint mission because the local authorities had barred civilians from carrying such weapons.

59. In consultation with international humanitarian organizations, particularly ICRC and non-governmental organizations (NGOs), the United Nations has also been endeavouring to extend humanitarian assistance to the people in and around Mogadiscio. While a cease-fire is necessary to allow adequate humanitarian assistance, ways and means have been explored for providing food assistance even with the prevailing conditions.

60. Meetings with agency representatives were held in New York to work out contingency plans for humanitarian assistance with and without a cease-fire. WFP made detailed plans for ocean delivery of relief items by shallow-draft vessels and by beaching with landing crafts for places with no port facilities. In case a United Nations presence on land was not possible, plans were made for a "mother ship" to be positioned offshore that would feed smaller craft with food and medical supplies and double as a floating base where United Nations personnel would live and work. Standby arrangements were also made to organize a series of airdrops/airlifts that could be implemented on an urgent basis.

61. My Envoy for Somalia kept in close contact with WFP on all the aforesaid arrangements. At all times, it was emphasized to the Somali factions that a cease-fire was crucial for the effective delivery of humanitarian assistance.

62. While waiting for conditions that would permit putting the contingency plan into effect, special efforts were made to provide, on an ad hoc basis, 1,000 tons of food to Mogadiscio. In this connection, a vessel carrying 340 tons of food was due to arrive in Mogadiscio on 29 February. Unfortunately the vessel ran into a reef and could not proceed further. However, another vessel, the Marco Polo, left Mombasa with a scheduled arrival of 3 March 1992. Owing to bad weather, the arrival of the Marco Polo was delayed until 4 March 1992. Even then, while the vessel, loaded with 660 tons of bagged wheat, was being brought through the port on the morning of 5 March 1992, the ship was shelled from on-shore. No damage or injury occurred and the ship was able to remove itself from the area of conflict and to return immediately to Mombasa.

63. The situation in Mogadiscio reached such a point that, on 5 March 1992, my Envoy for Somalia sent from Nairobi an urgent and pressing appeal to Interim President Mohamed and General Aidid regarding the shelling of the WFP vessel. He expressed deep concern that efforts to relieve the starving population of Mogadiscio had been recklessly disrupted by shelling intended to prevent unloading of badly needed foodstuff. He noted that those who bitterly complained that food was not being brought to Mogadiscio must know that whoever had taken reckless actions to bar the delivery of food supplies bore the responsibility.

64. Previously, both factions had shown understanding for the difficulties that had obstructed United Nations efforts to commence delivery of food, on 2 March, as had been planned. In order to assist the United Nations effort, they had issued statements on 29 February and 1 March 1992 guaranteeing the security of vessels using the port of Mogadiscio to deliver humanitarian assistance (see annex IV).

65. In the prevailing circumstances, WFP considers it inadvisable to authorize further deliveries to Mogadiscio until the conditions for a viable and sustained relief effort have been established, namely a written agreement with the combatant groups establishing modalities that enable (a) food to be delivered to needy non-combatants within and around the city and (b) United

Nations and NGO staff to have secure access to beneficiaries for purposes of needs assessment and the oversight of the relief effort. Within such an arrangement the provision of an agreed amount of relief food to combatants controlling the port and relief corridors might be necessary.

66. The prospect of famine deaths is high in much of Somalia and is not confined to Mogadiscio and its environs. WFP is working with other agencies and ICRC to devise a plan that provides for a sharing of responsibilities for a genuinely nationwide programme of relief. With respect to Mogadiscio, this would provide for flexibility to have deliveries made either through the port of Mogadiscio by WFP itself and/or through small ports to the north and south of the capital.

67. My Envoy for Somalia wrote to the Executive Directors of WFP and UNICEF on 31 January 1992 requesting them, as a matter of urgency, to prepare an immediate plan of action for emergency humanitarian assistance for Mogadiscio. The joint WFP/UNICEF team commenced work in Nairobi on 7 February. Following visits to Mogadiscio, Merka, Dahanne and Gwazire ports, the joint team drew up a preliminary draft 90-day plan of action to provide urgent humanitarian assistance for the population of Mogadiscio.

68. By 8 March 1992, a total of 250 tons of non-food assistance consisting of medical supplies, shelter material and supplementary food were airlifted to both north and south of Mogadiscio (see annex V B). A major breakthrough was achieved on 2 March when a convoy moved through the front lines from south to north Mogadiscio and delivered relief supplies to a hospital and camps for internally displaced persons. This breakthrough was followed by daily convoys across the lines, and the informal corridor of safe passage is currently being used by ICRC as well as a number of NGOs.

69. With the increase in UNICEF and WFP non-food supplies reaching Mogadiscio, the United Nations commenced direct distribution of essential medical supplies and equipment to hospitals supported by NGOs, as well as the provision of shelter material to a number of camps for displaced persons, thus supplementing the work of the international NGO community. To oversee the operation and ensure effective distribution and monitoring of supplies, UNICEF increased the number of its international staff in Mogadiscio. This was supplemented by the deployment of a WFP staff member and other international staff provided by the agency CARE, doubling the size of the United Nations international presence on the ground in Mogadiscio.

70. The possibility of providing some food aid to armed elements outside the control of both factions in order to facilitate the passage and distribution of food was raised by the joint delegation, and both factions acknowledged such a necessity.

71. I wish to acknowledge the valiant efforts of ICRC and NGOs, which have sought to provide, at great risk, assistance to the population affected by the emergency throughout the country. The United Nations and its specialized agencies will continue to collaborate to the fullest extent possible with

these organizations in order to respond with priority to the worsening humanitarian crisis threatening the peoples of Somalia.

Observations

72. The tragic situation in Somalia is extraordinarily complex and has so far eluded conventional solutions. New avenues and innovative methods commensurate with the humanitarian and political situation at hand need to be explored in order to facilitate a peaceful settlement. In this connection, the collaborative effort of the United Nations and the regional and intergovernmental organizations undertaken in the context of Chapter VIII of the Charter of the United Nations has proved to be very effective and has set a useful precedent for future cooperation.

73. The United Nations and the three regional and intergovernmental organizations concerned, after extensive discussion with the two factions in Mogadiscio, have worked out a general framework for the implementation of the cease-fire. The next step, as agreed by the two principal factions on 3 March, is for me to send to Mogadiscio a technical team to prepare an operational plan for a United Nations monitoring mechanism. It is my intention to dispatch such a team as soon as possible. It would consist of about 20 civilian and military personnel, with previous experience of United Nations activities in connection with the monitoring of cease-fires, together with the representatives of the three regional organizations. It would pursue consultations with representatives of Interim President Mohamed and General Aidid on the arrangements for such a mechanism and on related questions, notably the question of how to ensure that the cease-fire is respected by armed elements that are not at present under the control of either of the two protagonists. The team's report would provide a basis on which I could present a further report to the Security Council containing my recommendation on how the Security Council might respond to the two parties' agreement that the cease-fire should be stabilized by means of a United Nations monitoring mechanism. As stated earlier in this report my Envoy, of course, emphasized to both of them that such an arrangement would require the approval of the Security Council.

74. It would be my intention to request the technical team to look into possible mechanisms to ensure the unimpeded delivery of humanitarian assistance to the displaced persons in and around Mogadiscio. A similar exercise will also be performed by the team in visits to Berbera and Kismayo. I am aware that this exercise represents an innovation that may require careful consideration by the Security Council. Its objective has already been anticipated by the understanding reached with the two factions that United Nations civilian police would be required to assist in the delivery of humanitarian assistance in and around Mogadiscio.

75. The fighting in Mogadiscio is, for the most part, between two factions of the same movement, one, representing the Chairman of USC, and the other, the Interim President of Somalia appointed on the basis of the Djibouti Accords. The conflict arose because General Aidid did not recognize Mr. Mohamed as Interim President. Recently, I was informed that the Central Committee of USC, with a majority backing Mr. Mohamed, had ousted General Aidid as Chairman. The whole problem is further complicated by the personal animosity between the two leaders, which may account for the ferocity of the fighting and the difficulty in reaching accommodation.

76. Even though priority has urgently been given to achieving a cease-fire in Mogadiscio, that alone will not resolve the Somali problem as a whole. In this connection, it is important to note that, as stated earlier, there are armed elements not under the control of either of the two protagonists whose presence could complicate the implementation and monitoring of the cease-fire. It is also necessary to take account of the situation around Kismayo, where two factions of SPM, under different leadership, have emerged as contenders and could present a potential problem. To complicate matters further, there is evidence that the former President of Somalia is mobilizing his forces in the south-west and may enter the fray. When one takes into account, moreover, the proclaimed secession of the north under the banner of SNM, it becomes all the more evident that the Somali problem is indeed very complicated.

77. I have earlier drawn attention to the absence of any civil society and the breakdown of law and order in Mogadiscio, which has been compounded by the proliferation of arms among civilians. Banditry, looting and reckless firing have complicated all efforts to bring humanitarian assistance to the people of Somalia, particularly the hundreds of thousands of displaced people, mostly women, children and young people in the heart of Mogadiscio.

78. Somalia thus presents a special challenge to the international community in general, and to the Security Council in particular. It needs to be emphasized to the factions in Mogadiscio that they must refrain from pursuing a military victory and must seek to resolve their conflict in a peaceful way, either through accommodation, or by elections within USC to determine its leadership.

79. It would be important for the Security Council to underline the individual and collective responsibilities of the leaders of the factions to save lives and to assist in the distribution of humanitarian assistance. A sustained relief assistance programme is urgently required for the affected population in Somalia. In the light of the immediate threat posed by severe food shortages to large portions of the country's population, the relief programme should not necessarily be dependent upon the implementation of a cease-fire, but nevertheless cannot be undertaken without adequate measures to ensure the safety of relief officials.

80. The Security Council also needs to make it clear to leaders of the two factions not to obstruct, in any way, the work of international monitors or the operations of any United Nations observer mission that the Security Council might decide to set up. The consequences of such obstruction should be made unmistakably clear to them.

81. As I have already stated earlier in this report, I shall continue my efforts for the implementation of a cease-fire and shall continue consultations on the second phase concerning the convening of a conference on national reconciliation and unity in Somalia. I shall keep the Council informed of my efforts in this regard.

Notes

1/ S/23527, S/23528 and Corr.1, S/23531, S/23532, S/23533, S/23536, S/23537, S/23538, S/23539, S/23540, S/23541, S/23542, S/23543, S/23544, S/23545, S/23546, S/23548, S/23549, S/23551, S/23555, S/23559, S/23560, S/23561, S/23562, S/23566, S/23568, S/23571, S/23572, S/23577, S/23578, S/23579, S/23582, S/23583, S/23584, S/23586, S/23587, S/23588, S/23589, S/23593, S/23595, S/23599, S/23601, S/23602, S/23607, S/23611, S/23612, S/23614, S/23615, S/23616, S/23621, S/23623, S/23627, S/23629, S/23630, S/23635, S/23637, S/23650, S/23658, S/23659, S/23660, S/23674, S/23675, S/23677, S/23678, S/23681, S/23682, S/23683 and S/23689.

2/ A/46/257 and A/46/319.

Annex I

A. Pledge signed at United Nations Headquarters on 14 February 1992 by Mr. Mohamed Qanyare Afrah, head of delegation of the Interim Government of Somalia

The delegation representing the Interim Government of Somalia hereby declares its solemn commitment before representatives of the United Nations, the League of Arab States, the Organization of African Unity and the Organization of the Islamic Conference to an immediate and effective cessation of hostilities and the maintenance of a cease-fire. The delegation also pledges to honour this commitment.

It also welcomes the decision by the four organizations to send a high-level delegation to Mogadiscio to conclude a cease-fire agreement before the end of February 1992.

It further undertakes to guarantee the security and complete freedom of movement of the delegation in and around Mogadiscio.

Mohamed Qanyare Afrah
Head of Delegation

Signed at United Nations Headquarters in New York
14 February 1992

B. Pledge signed at United Nations Headquarters on 14 February 1992 by Mr. Osman Hassan Ali, head of delegation, member of the Standing Committee of the Central Committee of the United Somali Congress

The delegation representing the United Somali Congress hereby declares its solemn commitment before representatives of the United Nations, the League of Arab States, the Organization of African Unity and the Organization of the Islamic Conference to an immediate and effective cessation of hostilities and the maintenance of a cease-fire. The delegation also pledges to honour this commitment.

It also welcomes the decision by the four organizations to send a high-level delegation to Mogadiscio to conclude a cease-fire agreement before the end of February 1992.

It further undertakes to guarantee the security and complete freedom of movement of the delegation in and around Mogadiscio.

Osman Hassan Ali
Head of Delegation
Member of the Standing Committee of the Central Committee, USC

Signed at United Nations Headquarters in New York
14 February 1992

Annex II

A. Decision CM/Plen./Dec.2 (LV) of the OAU Council of Ministers on the situation in Somalia

The Council of Ministers of the Organization of African Unity calls upon the belligerent factions in Mogadiscio to honour fully the pledges they made in New York on 14 February 1992 to cease hostilities immediately and to maintain a cease-fire. It urges them to cooperate with the joint mission to Somalia comprised of OAU, the United Nations, the Arab League and IOC, in its efforts to conclude a cease-fire agreement aimed at the restoration of peace and stability in Somalia without further delay in accordance with Security Council resolution 733 (1992) of 23 January 1992. The Council of Ministers stresses that the joint mission commands the full support of OAU as well as the international community as a whole. The Council also mandated its Bureau in cooperation with the Secretary-General for the follow-up of the situation and to report to the next Council of Ministers.

B. Appeal by the League of Arab States to the factions in Somalia to facilitate the task of the joint delegation

[Original: Arabic]

The General Secretariat of the League of Arab States (LAS) is following developments in the grave and distressing situation in fraternal Somalia resulting from the continuation of armed confrontations in the Somalian capital. These events have led to the death of thousands and caused large-scale devastation of the Somali economic structure and terrible deterioration of people's living conditions. They now threaten a total collapse of the State structure, with all the certain danger that this entails for the unity, security and stability of Somalia, which constitute an indivisible part of international peace and security.

LAS once again welcomes Security Council resolution 733 (1992) concerning the situation in Somalia, which it regards as a necessary step towards the integration of international effort with Arab effort, as represented in the meetings of the League Council and its resolutions adopted at its ordinary and extraordinary sessions held for this purpose and for the purpose of preserving the unity and integrity and safeguarding the security and independence of Somalia, a League member. To this end, LAS participated in the joint meeting held at United Nations Headquarters in mid-February 1992 by the United Nations, the Organization of African Unity and the Organization of the Islamic Conference, as well as the two parties to the conflict taking place in Mogadiscio. The joint meeting resulted in an undertaking by both Somali parties to the conflict to comply with the cease-fire and in a declaration on their part of their wish to receive the joint delegation of the United Nations and the regional organizations, including LAS, in Mogadiscio in order to discuss the provisions of the cease-fire and sign it. LAS strongly supports these steps and places its hopes on the success of the joint delegation and the success of its delicate mission. It appeals to its brothers in Somalia, in the name of historic responsibility, not to let the opportunity escape, to cease hostilities immediately and to resort to fraternal dialogue in order to spare innocent blood and so that the joint delegation can discharge its mandate of ensuring conditions conducive to a fresh start on the course of national reconciliation.

LAS strongly hopes that the Somali leaders will offer all possible cooperation in order that the efforts of the international and regional organizations may be crowned with success. Unquestionably, that is a duty imposed on them by national commitment to the Somali land and people.

LAS is confident that its Somali brothers will rise to the level of this national responsibility.

C. Press release dated 26 February 1992 issued by the Organization of the Islamic Conference

Dr. Hamid Algabid, Secretary General of the Organization of the Islamic Conference, calls for an immediate cease-fire in Somalia

Dr. Hamid Algabid, Secretary General of the Organization of the Islamic Conference, has expressed his deep sadness at the reports of continued fighting in Mogadiscio despite solemn commitments made in New York to accept an immediate cease-fire.

The Secretary General believes that the immediate cessation of hostilities and conclusion of a cease-fire agreement is of paramount importance.

The Secretary General reiterates that the Organization of the Islamic Conference is deeply concerned over the situation in Somalia and has continuously made efforts to help restore peace and find a just and honourable solution to the current crisis in Somalia.

In this connection OIC is concerting its efforts with those of the United Nations to help the people of Somalia overcome their present hardships and difficulties. In this spirit, OIC is taking part in the joint United Nations/Organization of the Islamic Conference/Organization of African Unity/League of Arab States delegation which will soon visit Mogadiscio to consult with the Somali factions on ways and means of concluding a cease-fire agreement and paving the way for a peaceful solution to the problem of Somalia.

The Secretary General is urging the fighting factions to cooperate fully with the high-ranking UN/OIC/OAU/Arab League joint mission and to ensure favourable conditions for the accomplishment of its task.

In this regard, the Secretary General, on behalf of all the countries and peoples of the Islamic Ummah, urges the fighting factions to honour their solemn commitments and to respond positively to the call for a cease-fire by ordering their forces to immediately stop all fighting.

The Secretary General wishes to reiterate the sincere desire of OIC to cooperate with all the Somali factions so as to help them overcome this tragic crisis.

Annex III

A. Agreement on the implementation of the cease-fire signed by Interim President Ali Mahdi Mohamed

THE UNDERSIGNED,

HAVING MET WITH THE REPRESENTATIVES OF THE UNITED NATIONS, THE LEAGUE OF ARAB STATES, THE ORGANIZATION OF AFRICAN UNITY AND THE ORGANIZATION OF THE ISLAMIC CONFERENCE PURSUANT TO THE ACCORD SIGNED AT UNITED NATIONS HEADQUARTERS IN NEW YORK ON 14 FEBRUARY 1992,

GUIDED BY THE PRINCIPLES OF THE UNITED NATIONS CHARTER AS WELL AS BY THOSE OF THE LEAGUE OF ARAB STATES, THE ORGANIZATION OF AFRICAN UNITY AND THE ORGANIZATION OF THE ISLAMIC CONFERENCE,

DESIROUS OF RESTORING PEACE WITH JUSTICE TO SOMALIA AND OF BRINGING ABOUT A RETURN TO NORMALCY UNDER THE RULE OF LAW AS SOON AS POSSIBLE,

PLEDGING MY COOPERATION WITH THE UNITED NATIONS, THE LEAGUE OF ARAB STATES, THE ORGANIZATION OF AFRICAN UNITY AND THE ORGANIZATION OF THE ISLAMIC CONFERENCE AND WITH THEIR REPRESENTATIVES IN THEIR EFFORTS TO BRING ABOUT A JUST PEACE IN SOMALIA,

HEREBY AGREE TO TAKE IMMEDIATE STEPS, PERSONALLY AS WELL AS THROUGH THE PERSONS UNDER MY COMMAND, FOR THE IMPLEMENTATION OF MEASURES AIMED AT STABILIZING THE CEASE-FIRE BY MEANS OF A UNITED NATIONS MONITORING MECHANISM. THE MEASURES WILL BE FORMULATED BY A UNITED NATIONS TECHNICAL TEAM THAT WILL ARRIVE IN MOGADISCIO SHORTLY.

INTERIM PRESIDENT ALI MAHDI MOHAMED

DONE AT MOGADISCIO, IN THE PRESENCE OF THE UNDERSIGNED, ON 3 MARCH 1992

UNITED NATIONS

LEAGUE OF ARAB STATES

ORGANIZATION OF AFRICAN UNITY

ORGANIZATION OF THE ISLAMIC CONFERENCE

/...

B. Agreement on the implementation of the cease-fire signed by Ahmed Farah Aidid

THE UNDERSIGNED,

HAVING MET WITH THE REPRESENTATIVES OF THE UNITED NATIONS, THE LEAGUE OF ARAB STATES, THE ORGANIZATION OF AFRICAN UNITY AND THE ORGANIZATION OF THE ISLAMIC CONFERENCE PURSUANT TO THE ACCORD SIGNED AT UNITED NATIONS HEADQUARTERS IN NEW YORK ON 14 FEBRUARY 1992,

GUIDED BY THE PRINCIPLES OF THE UNITED NATIONS CHARTER AS WELL AS BY THOSE OF THE LEAGUE OF ARAB STATES, THE ORGANIZATION OF AFRICAN UNITY AND THE ORGANIZATION OF THE ISLAMIC CONFERENCE,

DESIROUS OF RESTORING PEACE WITH JUSTICE TO SOMALIA AND OF BRINGING ABOUT A RETURN TO NORMALCY UNDER THE RULE OF LAW AS SOON AS POSSIBLE,

PLEDGING MY COOPERATION WITH THE UNITED NATIONS, THE LEAGUE OF ARAB STATES, THE ORGANIZATION OF AFRICAN UNITY AND THE ORGANIZATION OF THE ISLAMIC CONFERENCE AND WITH THEIR REPRESENTATIVES IN THEIR EFFORTS TO BRING ABOUT A JUST PEACE IN SOMALIA,

HEREBY AGREE TO TAKE IMMEDIATE STEPS, PERSONALLY AS WELL AS THROUGH THE PERSONS UNDER MY COMMAND, FOR THE IMPLEMENTATION OF MEASURES AIMED AT STABILIZING THE CEASE-FIRE BY MEANS OF A UNITED NATIONS MONITORING MECHANISM. THE MEASURES WILL BE FORMULATED BY A UNITED NATIONS TECHNICAL TEAM THAT WILL ARRIVE IN MOGADISCIO SHORTLY.

GENERAL MOHAMED FARAH AIDID
CHAIRMAN OF THE UNITED SOMALI CONGRESS

DONE AT MOGADISCIO, IN THE PRESENCE OF THE UNDERSIGNED,
ON 3 MARCH 1992

UNITED NATIONS

LEAGUE OF ARAB STATES

ORGANIZATION OF AFRICAN UNITY

ORGANIZATION OF THE ISLAMIC CONFERENCE

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Annex IV

A. Letter dated 29 February 1992 from Ali Mahdi Mohamed, Interim President, addressed to Mr. James Jonah, United Nations Envoy for Somalia

According to the United Nations plan of sending humanitarian relief supplies to Somalia aimed to overcome the imminent plight of mass starvation, the Interim Government of National Unity strongly welcomes the effective humanitarian efforts of the United Nations to provide desperately needed assistance and use Mogadiscio seaport for discharge.

The Interim Government of Somalia shall cooperate and fulfil the required duties and coordination regarding the safety of the vessels heading to Mogadiscio seaport. The Government shall guarantee the security of the seaport.

(Signed) Ali Mahdi MOHAMED
President of Somalia

B. Letter dated 1 March 1992 from Abdi Osman Farah, Vice Chairman of the United Somali Congress addressed to Mr. Arthur Holdbrook, World Food Programme Representative in Somalia

Following our conversation concerning the use of the Mogadiscio port by the World Food Programme, we are happy to inform you that USC welcomes the calling on the port by your ships too.

Following your proposal concerning the use of the Mogadiscio port facilities for the purpose of unloading the humanitarian assistance, we are happy to inform you that USC accepts your request to reopen the port to unload the food aid.

USC further informs you that it will provide security protection for your personnel and the food; moreover, USC has no objection to the provision of food to every part of the city.

(Signed) Abdi Osman FARAH
Vice Chairman of the
United Somali Congress

Annex V

A. Food supplies delivered by the World Food Programme since 23 January 1992

The following table provides a list of the food supplies delivered by the World Food Programme in Somalia since the adoption of Security Council resolution 733 (1992) on 23 January 1992.

Food already supplied to Somalia

Month	Quantity (tons)	Destination	Delivered by
January	600	Adale	ICRC
January	700	Merka	ICRC
February	800	Merka	ICRC
February	800	Berbera	CARE/German Emerg. Doct.
February	2 100	Kismayo	ICRC
March	2 000	Kismayo	ICRC

Plans for future supplies

For Mogadiscio - 9,000 tons for 3 months

For Somalia for 1992 - 113,000 tons

B. Food and non-food supplies delivered by the United Nations Children's Fund since 23 January 1992

The following table provides a list of the food and non-food supplies delivered by the United Nations Children's Fund in Somalia since the adoption of Security Council resolution 733 (1992) of 23 January 1992.

Supplies delivered to Somalia

	Medical	Food	Other non-med. a/	Shelter	Total
Mogadiscio south	140	19	7	13	179
Mogadiscio north	5	5	4	3	17
Kismayo	1	8	8	-	17
Total tonnage	146	32	19	16	213

a/ Other non-medical supplies include generators, water and sanitation equipment, fuel, etc.

Total value: US$ 1.3 million

Figures for north Somalia yet to be included.

Future plans

Plans are under way to fly in medical supplies and equipment, supplementary food and shelter material worth US$ 2.3 million for distribution to Mogadiscio and the rest of Somalia over the next three months.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23693/Corr.1
12 March 1992

ORIGINAL: ENGLISH

THE SITUATION IN SOMALIA

Report of the Secretary-General

Corrigendum

Paragraph 40 (c) should read

(c) Both parties will facilitate the unimpeded flow of humanitarian aid and delivery of assistance to all in need, including those internally displaced;

92-11628 3022i (E) 120392 *120392*

UNITED
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Security Council

Distr.
GENERAL

S/23694
11 March 1992
ENGLISH
ORIGINAL: FRENCH

NOTE VERBALE DATED 9 MARCH 1992 FROM THE PERMANENT REPRESENTATIVE OF ALGERIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Algeria to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to his note dated 16 September 1991 concerning measures taken to implement paragraph 6 of Security Council resolution 713 (1991), has the honour to inform him that Algeria does not produce and does not export weapons or military equipment.

Consequently, Algeria does not have to take any special steps to comply with the obligations arising from the implementation of resolution 713 (1991).

92-11534 3202e (E) 120392 120392 120392

UNITED
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Security Council

Distr.
GENERAL

S/23695
11 March 1992

ORIGINAL: ENGLISH

LETTER DATED 8 MARCH 1992 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 745 (1992) of 28 February 1992 by which the Council decided to establish a United Nations Transitional Authority in Cambodia (UNTAC) and to my predecessor's letter of 8 November 1991 relating to the appointment of the commander of the military component of UNTAC.

Having completed the necessary consultations, I propose, with the consent of the Council, to appoint Lieutenant-General John M. Sanderson (Australia) as Force Commander of the military component of UNTAC. I further propose that Brigadier-General Michel Loridon (France) should serve as Deputy Force Commander.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

92-11488 3019i (E) 110392 110392

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23696
11 March 1992
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 11 MARCH 1992 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 8 March 1992 and received today (S/23695), concerning the appointment of the Force Commander of the military component of the United Nations Transitional Authority in Cambodia (UNTAC), has been brought to the attention of the members of the Council. The members agree to the proposal contained in your letter.

(Signed) Diego ARRIA
President of the Security Council

92-11494 3199e (E) 110392 110392 110392

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23697
11 March 1992

ORIGINAL: ENGLISH

LETTER DATED 10 MARCH 1992 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 743 (1992) of 21 February 1992, by which the Council approved my report (S/23592 and Add.1) proposing the establishment of the United Nations Protection Force (UNPROFOR), and to my letter of 25 February 1992 proposing its composition.

As indicated in that letter, and having completed the necessary consultations, I further propose that Australia, Brazil, Jordan and Venezuela be added to the Member States contributing military personnel to UNPROFOR.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

92-11500 3708a (E) 110392 110392

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23698
11 March 1992
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 11 MARCH 1992 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 10 March 1992 (S/23697), concerning the expanded membership in the military component of the United Nations Protection Force (UNPROFOR), has been brought to the attention of the members of the Council. The members agree to the proposal contained in your letter.

(Signed) Diego ARRIA
President of the Security Council

92-11506 3005g (E) 110392 110392 110392

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23699
11 March 1992
ENGLISH
ORIGINAL: ARABIC/CHINESE/ENGLISH/
FRENCH/RUSSIAN/SPANISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations among members of the Security Council, the President of the Council made the following introductory statement, on behalf of the Council, at its 3059th meeting, on 11 March 1992, in connection with the Council's consideration of the item entitled:

"(a) The situation between Iraq and Kuwait

"(b) Letter dated 2 April 1991 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council (S/22435)

Letter dated 4 April 1991 from the Chargé d'affaires a.i. of the Permanent Mission of France to the United Nations addressed to the President of the Security Council (S/22442)

Letter dated 5 March 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Belgium to the United Nations addressed to the President of the Security Council (S/23685)".

I. GENERAL OBLIGATION

"1. The resolutions concerning the situation between Iraq and Kuwait impose a number of general and specific obligations upon Iraq.

"2. As regards the general obligation, Iraq is required, under paragraph 33 of Security Council resolution 687 (1991), to give official notification to the Secretary-General and to the Security Council of its acceptance of the provisions of that entire resolution.

"3. Iraq signified its unconditional acceptance in letters dated 6 and 10 April 1991 (S/22456 and S/22480, respectively) and 23 January 1992 (S/23472).

"4. When the Security Council met at the level of Heads of State and Government on 31 January 1992 the concluding statement made by the President of the Council, on behalf of its members (S/23500), contained the following passage:

> 'Last year, under the authority of the United Nations, the international community succeeded in enabling Kuwait to regain its sovereignty and territorial integrity, which it had lost as a result of Iraqi aggression. The resolutions adopted by the Security Council remain essential to the restoration of peace and stability in the region and must be fully implemented. At the same time the members of the Council are concerned by the humanitarian situation of the innocent civilian population of Iraq.'

"5. On 5 February 1992, the President of the Security Council issued a statement on behalf of its members (S/23517) in which he stated, among other things:

> 'In connection with the Secretary-General's factual report (S/23514) on Iraq's compliance with all the obligations placed upon it by resolution 687 (1991) and subsequent relevant resolutions, the members of the Security Council note that while much progress has been made, much remains to be done. ... The members of the Council are disturbed by the lack of Iraqi cooperation. Iraq must implement fully resolution 687 (1991) and subsequent relevant resolutions as was stated in the statement read out by the President of the Council on behalf of its members in the meeting held on 31 January 1992 with the participation of the heads of State and Government (S/23500).'

"6. In a statement made on behalf of the Council on 28 February 1992 (S/23663), the President said:

> 'The members of the Council demand that Iraq immediately implement all its obligations under Council resolution 687 (1991) and subsequent resolutions on Iraq. The members of the Council require the Government of Iraq to communicate directly to the Council without further delay an authoritative and unconditional acknowledgement of its agreement to accept and implement the above noted obligations, including specifically to comply with the determination of the Special Commission requiring the destruction of ballistic missile-related equipment. The members of the Council emphasize that Iraq must be aware of the serious consequences of continued material breaches of resolution 687 (1991).'

"7. I must also draw attention to the further report of the Secretary-General on the status of compliance by Iraq with the obligations placed upon it (S/23687).

"8. From the aforementioned statements by the President and in view of the reports of the Secretary-General, it will be seen that, despite Iraq's statements of unconditional acceptance of Security Council resolution 687 (1991), the Security Council has determined that Iraq is not in full compliance with all of its obligations.

II. SPECIFIC OBLIGATIONS

"9. In addition to the general obligation to accept the provisions of resolution 687 (1991) in their entirety, several Security Council resolutions impose specific obligations upon Iraq.

(a) Respect for the inviolability of the international boundary

"10. By paragraph 2 of resolution 687 (1991) the Security Council demands that Iraq respect the inviolability of the international boundary and the allocation of islands previously agreed upon between Iraq and Kuwait. Pursuant to paragraph 3 of that resolution, the Secretary-General established a Boundary Demarcation Commission to demarcate the boundary between Iraq and Kuwait. Paragraph 5 of the same resolution requires Iraq and Kuwait to respect a demilitarized zone (DMZ) established by the Security Council. The Council has been informed that Iraq has respected the DMZ and that it has fully participated in the work of the Boundary Demarcation Commission. It has also been informed that Iraq refuses to withdraw a number of police posts that are not in line with UNIKOM's principle that both sides should stay 1,000 metres from the boundary line shown on UNIKOM's map.

(b) Weapons-related obligations

"11. Section C of resolution 687 (1991) imposes certain specific obligations upon Iraq with respect to its chemical and biological weapons programmes, its ballistic missile programmes with a range greater than 150 kilometres and its nuclear programmes. These obligations are elaborated upon in resolutions 707 (1991) and 715 (1991). The obligations are defined in paragraphs 8, 9, 10, 11, 12 and 13 of resolution 687 (1991) and they are elaborated upon in paragraphs 3 and 5 of resolution 707 (1991) and paragraph 5 of resolution 715 (1991).

"12. The information relevant to Iraq's compliance with the obligations laid down in the paragraphs of the Security Council resolutions to which I have just referred is reproduced in annex I to the Secretary-General's report (S/23687).

"13. By resolution 699 (1991), the Security Council decided that the Government of Iraq shall be liable for the full costs of carrying out the tasks authorized by section C of resolution 687 (1991). No funds have so far been received from Iraq to meet this liability.

"14. The Council has noted that since the adoption of resolution 687 (1991) progress has been made in the implementation of section C of that resolution but that much remains to be done. There is serious non-compliance with the obligations concerning the programmes for weapons of mass destruction and ballistic missiles and the members of the Council have found this to be a continuing material breach of resolution 687 (1991).

"15. The Special Commission has informed the Council about the outstanding matters that would at the present time appear to be the most important. The Council's attention is invited again to annex I of the Secretary-General's report, S/23687 of 7 March 1992.

"16. The Council has also noted the statement by the International Atomic Energy Agency (IAEA) contained in the Secretary-General's report of 25 January 1992 (S/23514, section C of the annex). The attention of the Council is drawn to information annexed to the further report of the Secretary-General, S/23687 (annex II), of 7 March 1992, relative to the two last inspections by the IAEA, on Iraq's compliance with its obligations under United Nations Security Council resolutions as they relate to nuclear activities.

"17. In a statement issued on behalf of the members of the Council (S/23609), the President stated on 19 February 1992 that:

> 'Iraq's failure to acknowledge its obligations under resolutions 707 (1991) and 715 (1991), its rejection up until now of the two plans for ongoing monitoring and verification and its failure to provide the full, final and complete disclosure of its weapons capabilities constitute a continuing material breach of the relevant provisions of resolution 687 (1991).'

"18. In a further statement made on 28 February 1992 on behalf of the Council (S/23663), the President said:

> 'The members of the Council deplore and condemn the failure of the Government of Iraq to provide the Special Commission with full, final and complete disclosure, as required by resolution 707 (1991), of all aspects of its programmes to develop weapons of mass destruction and ballistic missiles with a range greater than 150 kilometres, including launchers, and of all holdings of such weapons, their components and production facilities and locations, as well as all other nuclear programmes; and the failure of Iraq to comply with the plans for ongoing monitoring and verification approved by resolution 715 (1991). ... Furthermore, the members of the Council equally deplore and condemn Iraq's failure, within the time prescribed by the Special Commission at the request of Iraq, to commence destruction of ballistic missile-related equipment designated for destruction by the Special Commission. The members of the Council reaffirm that it is for the Special Commission alone

to determine which items must be destroyed under paragraph 9 of resolution 687 (1991).'

(c) Repatriation of and access to Kuwaiti and third-country nationals in Iraq

"19. As regards Kuwaiti and third-country nationals in Iraq, Security Council resolutions 664 (1990), 666 (1990), 667 (1990), 674 (1990), 686 (1991) and 687 (1991) impose an obligation on Iraq to release, facilitate repatriation of, and arrange for immediate access to them, as well as the return of the remains of any deceased personnel of the forces of Kuwait and of the Member States cooperating with Kuwait pursuant to resolution 678 (1990). Furthermore, paragraph 30 of resolution 687 (1991) requires Iraq to extend all necessary cooperation to the International Committee of the Red Cross (ICRC) in facilitating the search for Kuwaiti and third-country nationals still unaccounted for.

"20. The Security Council was informed by the ICRC in January 1992 that almost 7,000 persons have returned from Iraq to their countries since the beginning of March 1991. The ICRC also stated that despite all its efforts, there are still thousands of persons reported missing by the parties to the conflict.

"21. A special commission composed of the representatives of France, Iraq, Kuwait, Saudi Arabia, the United Kingdom and the United States has met under the auspices of the ICRC, to try to reach an agreement on, among other things, the implementation of paragraph 30 of resolution 687 (1991). However, the ICRC has informed the Council that it has not yet received any information as to the whereabouts of the persons reported missing in Iraq. Nor has it received detailed and documented information on the search conducted by the Iraqi authorities. Finally, it is also still awaiting information on persons who have died while in custody.

"22. The attention of the Council is drawn to section 4, paragraphs 12 to 14, of the Secretary-General's report contained in document S/23687 of 7 March 1992.

(d) Iraq's liability under international law

"23. Another obligation concerns Iraq's liability under international law. In resolution 674 (1990), the Security Council reminds Iraq 'that under international law it is liable for any loss, damage or injury arising in regard to Kuwait and third States and their nationals and corporations, as a result of the invasion and illegal occupation of Kuwait by Iraq'. Its liability under international law is reaffirmed in paragraph 2 (b) of resolution 686 (1991) and paragraph 16 of resolution 687 (1991). Resolution 687 (1991) further specifies that it 'is liable under international law for any direct loss, damage, including environmental damage and the depletion of natural resources, or injury to

foreign Governments, nationals and corporations, as a result of Iraq's unlawful invasion and occupation of Kuwait'.

"24. By paragraph 18 of the same resolution, the Security Council created a Fund to pay compensation for claims that fall within paragraph 16, to be financed by a percentage of the value of the exports of petroleum and petroleum products from Iraq. In view of the existing economic sanctions against Iraq under resolution 661 (1990), Iraq was permitted by the Security Council under resolutions 706 (1991) and 712 (1991) to sell a limited quantity of oil, as an exception, a portion of the proceeds from which would be used to provide financial resources for the Fund. To date, it has not availed itself of this possibility. The Council notes that this authorization is due to lapse on 18 March 1992. The members of the Council are aware of a request by Iraq for a five-year moratorium on meeting its financial obligations, including payments into the Compensation Fund.

(e) Repayment and servicing of Iraq's foreign debt

"25. With regard to another obligation, the Security Council, in paragraph 17 of resolution 687 (1991), demands that Iraq scrupulously adhere to all of its obligations concerning servicing and repayment of its foreign debt.

"26. The attention of the Council is drawn to paragraphs 17 and 18 of the Secretary-General's report (S/23687) of 7 March 1992.

(f) Return of property

"27. I now turn to the question of return of property. The Security Council, in paragraph 2 (d) of resolution 686 (1991), demands that Iraq immediately begin to return all Kuwaiti property seized by it, to be completed in the shortest possible period. The members of the Council have noted with satisfaction that, as stated in the further report of the Secretary-General, Iraqi officials involved with the return of property have extended maximum cooperation to the United Nations to facilitate the return.

(g) Monthly statements of gold and foreign currency reserves

"28. Another obligation is set out by paragraph 7 of resolution 706 (1991), under which the Government of Iraq is required to provide to the Secretary-General and appropriate international organizations monthly statements of its gold and foreign currency reserves. To date, no such statements have been provided to the Secretary-General or to the IMF.

(h) Undertaking not to commit or support acts of international terrorism

"29. By paragraph 32 of resolution 687 (1991), Iraq is required not to commit or support acts of international terrorism or allow any organization directed towards commission of such acts to operate within its territory and to condemn unequivocally and renounce all acts, methods, and practices of terrorism.

"30. The Council notes Iraq's statements contained in letters dated 11 June 1991 (S/22687 and S/22689) and 23 January 1992 (S/23472) that it is a party to international conventions against terrorism and that it has never pursued a policy favourable to international terrorism as defined by international law.

(i) Security Council action with respect to the Iraqi civilian population

"31. Resolutions 706 (1991) and 712 (1991) provide a means for Iraq to meet its obligations to supply its civilian population with needed humanitarian assistance, particularly food and medicine. To date, Iraq has refused to implement these resolutions. In fact after initiating discussions with Secretariat representatives on implementation, Iraq abruptly terminated the discussions.

III. SECURITY COUNCIL RESOLUTION 688 (1991)

"32. I should now like to refer to the demands by the Security Council with respect to the Iraqi civilian population. In paragraph 2 of resolution 688 (1991), the Security Council demands that Iraq, as a contribution to removing the threat to international peace and security in the region, end the repression of its civilian population. In paragraphs 3 and 7, the Security Council insists that it allow immediate access by international humanitarian organizations to all those in need of assistance in all parts of Iraq, and demands its cooperation with the Secretary-General to these ends.

"33. The Security Council remains deeply concerned at the grave human rights abuses that, despite the provisions of resolution 688 (1991), the Government of Iraq continues to perpetrate against its population, in particular in the northern region of Iraq, in southern Shi'a centres and in the southern marshes (Commission on Human Rights resolution 1992/71 of 5 March 1992). The Security Council notes that this situation is confirmed by the report of the Special Rapporteur of the Commission on Human Rights (E/CN.4/1992/31, also to be circulated in document S/23685) and by the comments of the Office of the Executive Delegate of the Secretary-General contained in the further report of the Secretary-General.

"34. The members of the Council are particularly concerned at the reported restrictions on the supplies of essential commodities, in particular food and fuel, which have been imposed by the Government of Iraq on the three northern governorates of Dohuk, Erbil and Suleimaniya. In this regard, as the Special Rapporteur has noted in his report, inasmuch as the repression of the population continues, the threat to international peace and security in the region mentioned in resolution 688 (1991) remains.

IV. CONCLUDING OBSERVATION

"35. In view of the observations on the record of Iraq's performance, the Security Council has considered itself justified in concluding that Iraq has not fully complied with the obligations placed upon it by the Council. It is the Council's hope and expectation that this meeting will prove an invaluable opportunity to advance in the consideration of this issue as required in the interest of world peace and security, as well as that of the Iraqi people."

UNITED
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Security Council

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S/23700
12 March 1992
ENGLISH
ORIGINAL: SPANISH

NOTE VERBALE DATED 2 MARCH 1992 FROM THE PERMANENT MISSION OF PANAMA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Panama to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to acknowledge receipt of his note dated 28 January 1992 requesting information regarding measures adopted by the Government to fulfil its obligations under paragraphs 5 and 7 of Security Council resolution 724 (1991).

Specifically, the Permanent Mission of Panama informs him that the Government of Panama does not deliver weapons or military equipment to any country in conflict, in this case Yugoslavia, because of its commitment as a country devoted to peace and international security.

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UNITED
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Security Council

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NOTE VERBALE DATED 10 MARCH 1992 FROM THE PERMANENT REPRESENTATIVE OF MEXICO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Mexico to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to his note dated 28 January 1992 requesting information of the Government of Mexico concerning measures adopted pursuant to paragraphs 5, 6 and 9 of Security Council resolution 733 (1992), in particular measures to implement the general and complete embargo on all deliveries of weapons and military equipment to Somalia, he informs him that the Government of Mexico, in keeping with its traditional policy in support of general and complete disarmament, has no industry which produces arms for export, nor does it promote or facilitate the sale or delivery of weapons and military equipment. Consequently, Mexico has fully complied with the provisions of Security Council resolution 733 (1992) and in particular with paragraph 5 of that resolution.

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